



**Town of Stoneham, Massachusetts**  
35 Central Street, Stoneham, MA 02180

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## Section 5

### Intensity Regulations

#### 5.1 APPLICATION:

No lot on which a building exists or is erected shall be altered, and no structure shall be constructed, reconstructed, relocated or altered so as to create or increase a non\_conformance with this Section, except in accordance with the provisions of Sections 6.2 and 7.0.

#### 5.2 DIMENSIONAL REGULATIONS BY DISTRICT:

The accompanying table, entitled "Dimensional Regulations," Table I is hereby incorporated into and made a part of this bylaw.

#### 5.3 SPECIAL CONDITIONS AND EXCEPTIONS:

**5.3.1 Contiguous Lots under Single Ownership:** If contiguous lots are under one ownership the owner shall be required to add to such lot any land adjoining, in his ownership, in order to permit a lot to be created that can meet requirements as far as possible.

**5.3.2 Division of Existing Lots to Create Lot Between Existing Building and Street:** Within the zoning Districts known as One\_Family, Residence A and B, no land shall be divided into separate lots so that a new lot line is defined within that portion of land which lies between an existing dwelling and the street which the front of the existing dwelling is facing. For the purposes of defining the area thus excluded, the extreme right and left exterior walls of the dwelling shall be visually extended from the front corners of the dwelling out to the street.

#### 5.3.3 (Reserved)

**5.3.4 Setbacks:** Where, to an extent of fifty percent (50%) of the space between two (2) streets or in a space of four hundred (400) feet on one (1) side of the street, front yards of uniformly greater depth than specified hereunder have been established or provided for by private agreement or by private building restrictions or where through common usage they exist, the depth of the front yards so established, provided for or existing shall be the front yard depth under this Section for such street or portion of street. Where a similar space and to a similar extent front yards of a varying depth, but all of a greater depth than fifteen (15) feet are so established, provided for or existing, the minimum depth so established, provided for or existing, shall be the front yard depth under this Section for such street or portion of a street.

**Editor's note**—Section 5A of Chapter 40A referenced above is now Section 6 of Chapter 40A.

#### 5.3.5 (Reserved)

**5.3.5.1 Setback Averages:** As an exception, if a dwelling is one of a series of three contiguous house lots, the setback required shall be the average of such existing lots.

**5.3.5.2 Setback Exceptions Certain Areas on Main Street:** Except as provided for in Section 7.0 where the Board of Appeals may permit a lesser distance under conditions where unfavorable topography makes compliance with this Section impractical, no building or structure may be placed within fifteen (15) feet of the street line in the following areas along Main Street:

- (a) On the easterly side between Marble Street and Maple Street.
- (b) On the westerly side between Montvale Avenue and North Street.
- (c) On the easterly side between Summer Street and Hancock Street.
- (d) On the easterly side between Pleasant Street and North Street.
- (e) On both sides of Main Street, from Collincote Street north to the northerly boundary of Stoneham, no part of any structure except free-standing pole or ground signs shall be moved within fifty (50) feet of the street line.

5.3.5.3 Projections: Under provisions for setbacks in Residence A and Residence B Districts specified in Section 5.2.1, cornices may be extended two (2) feet and chimneys and one (1) story portions three and one-half (3 ½) feet nearer a lot line, private way or other building. Stairs are subject to a maximum allowable extension of no greater than half the setback. (10-29-98, Art. 16)

#### Section 5.2.1 TABLE ONE \_ DIMENSIONAL REQUIREMENTS

District	Minimum Lot Size in Square Feet	Frontage and Lot Width in Feet(2)	Percent Coverage (3)	Minimum Setback in Feet			Height in Feet
				Front	Side(4) (13) Rear (13)		
<b>Residence A</b>	10,000(1)	90	30	20	10(8)	15(8)(10)	30
<b>Residence B</b>	7,000(5)	75(7)	20	15(6)	10(6)	15(6)(8)(10)	30
<b>Neighborhood Business</b>	10,000	100	50	15	15	15	30
<b>Business</b>	None Required	None Required	75	15	10	15	45
<b>Central Business</b>	None Required	None Required	100	None	None	None	45
<b>Highway Business</b>	10,000	100	75	20(9)	5	5	45
<b>Commercial</b>	20,000	100	75	15	10	10	65
<b>Medical(11)</b>	40,000	150	40	40	20	50	65
<b>Recreation/Open Space</b>	40,000	150	5	40	20	50	30
<b>Education(12)</b>	50,000	45	35	20	13	20	55
<b>Medical Office()</b>	130,000	150	Note()	40	20(14)	20(14)	65(14)

- (1) Except 40,000 feet for all non-residential uses
  - (2) See 5.3.4 (Reserved)
  - (3) Portion of lot devoted to structure
  - (4) Except that no part of a building may be placed within 15' of any street
  - (5) Plus 2,500 for each dwelling unit over one in a structure
  - (6) 30' for three or more dwelling units
  - (7) 150' for three or more dwelling units
  - (8) A minimum distance of ten (10') feet between buildings on adjacent lots in Residence A and B must be maintained
  - (9) Except 15' for freestanding pole or ground signs
  - (10) Except for pools which shall have a ten (10') foot minimum rear setback requirement. (5-12-86)
  - (11) Residential uses in the Medical District shall conform to the requirements specified herein for the Residence B District
  - (12) No setback required where abutting public open or recreational space (5-7-98)
  - (13) Fences as structures if less than six (6) feet in height and retaining walls less than four (4) feet in height are excluded from side and rear setback requirements. (10-24-02, Art. 22)
  - (14) For the Medical/Office District: 200 foot building setback and 80 foot parking setback from Woodland Road. For parking purposes, side and rear setbacks may be reduced to 10 feet by a Special Permit from the Planning Board. Height may be increased to 80 feet by Special Permit from Planning Board.
  - (15) Requirement of 30% landscape land. Landscape plan to be submitted for Site Plan approval.
- (Note—Dimensional requirements were amended as follows: 10-17-88, Art 5; 5-4-92, Art.. 6' 5-6-93, Art. 7; 10-30-95, Art 8; 5-7-98, Art. 13; 10-29-98, Art. 15)

#### 5.3.6 Corner Lots:

5.3.6.1 Lot lines of a corner lot which border on adjacent lots shall be considered as side lot lines. The front lot line of a lot having frontage on more than one (1) street shall be the street line having the longer dimension.

5.3.6.2 On a corner lot in Residence A and Residence B Districts, no fences, wall or structure, planting or foliage more than three and one-half (3 ½) feet in height above the plane of the established grades of the streets shall be erected in any part of a front yard herein established, that is included within the street lines at points which are twenty (20) feet from their point of intersection measured along such street lines which will obstruct the view of a driver of a vehicle approaching a street intersection.

5.3.6.3 On a corner lot in Business, Commercial and Medical Districts, no fence, wall or structure, planting or foliage more than three and one-half (3 ½) feet in height above the plane of the established grade of the streets shall be erected in any part of a front or side yard herein established, that is included within the street lines at points which are seven (7) feet distant from their point of intersection, measured along such street lines, which will obstruct the view of a driver approaching a street intersection. This shall not apply to structures above the first story.

#### 5.3.7 Required Space Between Principal Buildings on the Same Lot:

5.3.7.1 When there is more than one (1) principal building on a lot, there shall be a space equivalent to the maximum height requirement for the District in which it is located between each such principal building. (10-21-85, Art.~15; 5-2-88, Art. 16; 5-8-89, Art.~16)

#### 5.3.8 Exceptions to Intensity Regulations:

5.3.8.1 The Board of Appeals may give permission, in accordance with Section~7.0 for lesser distances in specific cases where unfavorable topography makes it difficult to conform to the provisions of sections therein having to do with One\_Family, Residence A and Residence B Districts where any parcel of land, the boundaries of which have remained unchanged since March 31, 1925, is of such peculiar size or shape that it is not reasonably possible for the owner to make beneficial use of such parcel in conformity with the provisions of this Chapter relating to area and setback lines within Residence A and Residence B Districts.

#### 5.3.9 (Reserved)